

HAINES LAW GROUP, APC
Paul K. Haines (SBN 248226)
phaines@haineslawgroup.com
Sean M. Blakely (SBN 264384)
sblakely@haineslawgroup.com
Liam A. Hall (SBN 358204)
lhall@haineslawgroup.com
2155 Campus Drive, Suite 180
El Segundo, California 90245
Tel: (424) 292-2350
Fax: (424) 292-2355

Attorneys for Plaintiffs

SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF LOS ANGELES

CARLOS ZAVALA and GONZALO
MARTINEZ, as individuals and on behalf of all
other aggrieved employees,

Plaintiffs,

vs.

PASO ROBLES TANK, INC., a California
corporation; and DOES 1 through 100,
inclusive,

Defendants.

Case No. 24STCV03493

*[Assigned for all purposes to the Hon.
Timothy Patrick Dillon, Dept. SSC-15]*

**DECLARATION OF GONZALO
MARTINEZ IN SUPPORT OF
PLAINTIFFS' MOTION FOR
APPROVAL OF SETTLEMENT OF
CLAIMS BROUGHT UNDER THE
PRIVATE ATTORNEYS' GENERAL
ACT**

Date: April 30, 2026
Time: 10:00 a.m.
Dept.: SSC-15

Complaint filed: February 9, 2024
Trial Date: None Set

- 1
- 2
- 3
- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22
- 23
- 24
- 25
- 26
- 27
- 28

1. I am an individual over the age of 18 and am one of the named plaintiffs in this matter against Defendant Paso Robles Tank, Inc. (“PRT”). This declaration is submitted in support of approval of the Settlement Agreement reached in this case. I have personal knowledge of the facts stated in this declaration and could testify competently to them if called upon to do so.

3. While working for PRT, I was subject to their wage and hour policies and practices at issue in this case. During my employment, I clocked in to my shift using the ExakTime cellular phone application. It was my understanding that this timekeeping system recorded hours worked to the minute, however, myself and other non-exempt employees were not compensated for all hours worked due to PRT rounding timekeeping entries in an uneven manner to a quarter of an hour increment. I was also required to travel to various job sites during the same workday and do not believe I was always paid for that travel time. As a result, I do not believe I was paid all minimum and overtime wages I was owed.

4. I also was not always to take a timely lunch break due to work demands. My lunch breaks were also less than thirty minutes due to work demands imposed by PRT. I was also not provided with a second meal period when I worked more than ten (10) hours in a shift. On top of this, during at least a portion of the relevant time period, I was not required to record my meal periods and PRT would automatically deduct one time from my total hours worked for each shift worked regardless if I took my meal period. Furthermore, I was not provided legally compliant rest periods because of the work demands imposed by PRT. In addition, PRT did not reimburse my business expenses when I used my personal cellular phone, vehicle, and tools for business purposes. As a result of these violations, it is my understanding that PRT did not issue accurate wage statements. As a further result of the violations, PRT failed to pay all wages owed to me at my time of separation of employment with PRT.

1 5. On September 13, 2024, I filed a lawsuit for civil penalties under the Private
2 Attorneys General Act in the matter *Gonzalo Martinez v. Paso Robles Tank, Inc.*, Los Angeles
3 Superior Court Case No. 24STCV23717. When I filed this lawsuit, I understood that it could
4 benefit my former coworkers, other PRT employees, and the State of California by helping to
5 recover penalties on their behalf as a result of the alleged violations described above. I also
6 understood that I was filing this case as an “aggrieved employee” on behalf of myself and my
7 fellow “aggrieved employees” as well as the State of California.

8 6. When I filed this lawsuit, I knew there was a risk I could be liable for PRT’s costs
9 if we lost the case. I also understood that filing a lawsuit is a public record. However, I accepted
10 those risks so that I could help recover penalties on behalf of other PRT employees and the State
11 of California. Even though I assumed these risks, to date, I have not suffered any actual adverse
12 consequences because I filed this lawsuit.

13 7. I have been actively involved in this case since it started in 2024. Without waiving
14 the attorney-client privilege, I have had many phone conversations and meetings with my
15 attorneys throughout this case to discuss PRT’s wage and hour policies and practices, identify
16 potential witnesses, and discuss case strategy. I also gathered and reviewed documents for use in
17 the lawsuit and reviewed relevant documents with my attorneys. I estimate that I have spent
18 approximately 35-40 hours performing these activities in order to help the case.

19 8. I understand that my attorneys will request that the Court approve an enhancement
20 payment of \$5,000.00 for my efforts on behalf of the aggrieved employees and the State of
21 California. I believe this amount is reasonable based on the amount of time and effort I have
22 devoted to this case and the risks I have undertaken as a representative. My support for the
23 Settlement is not contingent on me receiving this enhancement payment

24 I declare under penalty of perjury under the laws of the State of California and the United
25 States that the foregoing is true and correct. Executed on March 9, 2026 at Brooks, Kentucky.

26
27 

28
Gonzalo Matinez